

Issued To: Riverside Contracting, Inc.  
5571 Alloy South  
Missoula, MT 59808-8413

Permit #3884-00  
Complete Application Received: 11/13/06  
Preliminary Determination Issued: 12/21/06  
Department's Decision Issued:  
Permit Final:  
AFS #777-3884

An air quality permit, with conditions, is hereby granted to Riverside Contracting, Inc. (Riverside), pursuant to Sections 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

#### Section I: Permitted Facilities

A. Permitted Equipment:

Riverside will operate a portable drum mix asphalt plant and associated equipment at various locations throughout Montana. A more complete list of equipment is included in the Permit Analysis.

B. Plant Location:

Riverside will operate a portable drum mix asphalt plant initially located in the SW1/4 of Section 26, Township 28 North, Range 41 East, in Valley County. Permit #3884-00 applies while operating at any location in Montana, except within those areas having a Department of Environmental Quality (Department) approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* An addendum will be required for PM<sub>10</sub> nonattainment areas.

#### Section II: Conditions and Limitations

A. Emission Limitations

1. Asphalt plant particulate matter (PM) emissions shall be limited to 0.04 grains per dry standard cubic feet (gr/dscf) (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).
2. Riverside shall not cause or authorize to be discharged into the atmosphere from the asphalt plant, stack emissions that exhibit 20% opacity or greater averaged over six consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).
3. Riverside shall not cause or authorize to be discharged into the atmosphere from systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; and loading, transferring, and storage systems associated with emission control systems, any visible emissions that exhibit an opacity of 20% or greater averaged over six consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).

4. Riverside shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308 and ARM 17.8.752).
5. Riverside shall treat all unpaved portions of haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation in Section II.A.4. (ARM 17.8.752).
6. Riverside shall install, operate, and maintain the baghouse on the asphalt plant drum, as well as the fabric filter on the lime silo (ARM 17.8.752).
7. A device to measure the pressure drop (magnehelic gauge, manometer, etc.) must be installed and maintained on the baghouse. Pressure drop must be measured in inches of water. Temperature indicators at the baghouse inlet and outlet must be installed and maintained (ARM 17.8.752).
8. Once a stack test is performed, the asphalt production rate shall be limited to the average production rate during the last source test demonstrating compliance (ARM 17.8.749).
9. Riverside shall use fuel oil, natural gas, or propane as fuels for the asphalt heater (ARM 17.8.749).
10. Riverside shall use fuel oil, natural gas, or propane to fire the drum dryer (ARM 17.8.749).
11. Total asphalt plant production shall not exceed 600,000 tons during any rolling 12-month time period (ARM 17.8.749 and ARM 17.8.1204).
12. Riverside shall not operate more than one diesel generator at any given time and the maximum rated design capacity shall not exceed 820 kilowatts (kW) and operation shall not exceed 1,500 hours during any rolling 12-month time period (ARM 17.8.749 and ARM 17.8.1204).
13. If the permitted equipment is used in conjunction with any other equipment owned or operated by Riverside, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month period. Any calculation used to establish production levels, shall be approved by the Department (ARM 17.8.749).
14. Riverside shall comply with all applicable standards and limitations, and the reporting, recordkeeping, and notification requirements contained in 40 CFR Part 60, Subpart I, as it applies to this asphalt operation (ARM 17.8.340 and 40 CFR 60, Subpart I).

**B. Testing Requirements**

1. Within 60 days after achieving the maximum production rate, but not later than 180 days after initial start up, an Environmental Protection Agency (EPA) Methods 1-5 and 9 source test shall be performed on the asphalt plant to demonstrate compliance with Section II.A.1, Section II.A.2 and Section II.A.3, respectively. Testing shall continue on an every 4-year basis, or according to another monitoring schedule as may be approved by the Department (ARM 17.8.105 and ARM 17.8.749).

2. Pressure drop across the baghouse and temperature must be recorded daily and kept on site according to Section II.C.2 (ARM 17.8.749).
3. Pressure drop across the baghouse and temperature must be recorded during the compliance source test and reported as part of the test results (ARM 17.8.749).
4. Riverside may retest at any time in order to test at a higher production rate (ARM 17.8.749).
5. Since asphalt production will be limited to the average production rate during the compliance source test, it is suggested the test be performed at the highest production rate practical (ARM 17.8.749).
6. All compliance source tests must be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
7. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this asphalt plant is moved to another location, an Intent to Transfer Form must be sent to the Department. In addition, a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area where the transfer is to be made, at least 15 days prior to the move. The Intent to Transfer Form and the proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department upon request (ARM 17.8.765).
2. Riverside shall maintain on-site records showing daily hours of operation, daily production rates, and daily pressure drop and temperature readings for the last 12 months. The records compiled in accordance with this permit shall be maintained by Riverside as a permanent business record for at least five years following the date of the measurement, must be available at the plant for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).
3. Riverside shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but is not limited to, all sources of emissions identified in Section I.A of the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in the units required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and to verify compliance with permit limitations (ARM 17.8.505).

4. Riverside shall notify the Department of any construction or improvement project conducted pursuant to ARM 17.8.745, that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit. This notice must be submitted to the Department, in writing, 10 days prior to start up or use of the proposed de minimis change, or as soon as reasonably practicable in the

event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745 (1)(d) (ARM 17.8.745).

5. Riverside shall document, by month, the asphalt production from the facility. By the 25<sup>th</sup> day of each month, Riverside shall calculate the asphalt production from the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.11. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
6. Riverside shall document, by month, the hours of operation of the diesel generator. By the 25<sup>th</sup> day of each month, Riverside shall calculate the hours of operation of the diesel generator for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.12. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
7. Riverside shall annually certify that its emissions are less than those that would require the facility to obtain an air quality operating permit as required by ARM 17.8.1204(3)(b). The annual certification shall comply with the certification requirements of ARM 17.8.1207. The annual certification shall be submitted along with the annual emissions inventory information (ARM 17.8.749 and ARM 17.8.1204).

D. Notification Requirements

Riverside shall provide the Department with written notification of the actual start-up date of the new portable asphalt plant within 30 days after actual startup (ARM 17.8.749).

Section III: General Conditions

- A. Inspection - Riverside shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if Riverside fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving Riverside of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.* (ARM 17.8.756).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties, or other enforcement, as specified in Section 75-2-401, *et seq.*, MCA.
- E. Appeals – Any person or persons jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the

Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department's decision, unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on a permit by the Board postpones the effective date of the Department's decision until conclusion of the hearing and issuance of a final decision by the Board. If a stay is not issued by the Board, the Department's decision on the application is final 16 days after the Department's decision is made.

- F. Permit Inspection - As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.
- G. Permit Fee - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by Riverside may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.
- H. Construction Commencement - Construction must begin within three years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked (ARM 17.8.762).
- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Riverside shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas having a Department approved permitting program.

Permit Analysis  
Riverside Contracting, Inc.  
Permit #3884-00

I. Introduction/Process Description

A. Permitted Equipment

Riverside Contracting, Inc. (Riverside) owns and operates a portable drum asphalt plant (up to 400 tons per hour (TPH)), diesel generator (up to 820 kilowatt (kW)), lime silo with fabric filter, asphalt tank and heater, conveyors, screens, mixers, and associated equipment. Air emissions from the asphalt drum are controlled by a high efficiency baghouse.

B. Source Description

For a typical operation, stockpiled aggregate is loaded into bins according to size. The aggregate is dispensed from the bins and dumped onto conveyors that transfer aggregate to the drum mix dryer. The aggregate travels through the rotating drum where recovered asphalt product (RAP), asphalt oil, and/or lime are added to the dryer. The dryer drum mixes the RAP, asphalt oil, lime, and the aggregate at high temperatures. The resulting hot mix asphalt (HMA) is loaded into a hot mix asphalt storage silo where it is stored until the asphalt is dumped into trucks for transport to the project site.

II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department of Environmental Quality (Department). Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Subchapter 1 – General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

Riverside shall comply with the requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation, or to continue for a period greater than four hours.
5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

B. ARM 17.8, Subchapter 2 – Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM<sub>10</sub>

Riverside must maintain compliance with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 3 – Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over six consecutive minutes.
2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of less than 20% for all fugitive emission sources and reasonable precaution be taken to control emissions of airborne particulate matter (PM). (2) Under this rule, Riverside shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.
4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this section.
6. ARM 17.8.324 Hydrocarbon Emissions--Petroleum Products. (3) No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank truck or trailer is equipped with a vapor loss control device as described in (1) of this rule.

7. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS). This facility is an NSPS-affected facility under 40 CFR Part 60, Subpart I (Standards of Performance for Hot Mix Asphalt Facilities), because the facility was constructed after June 11, 1973. Therefore, the facility is subject to the requirements of 40 CFR Part 60, Subpart I.

D. ARM 17.8, Subchapter 5 – Air Quality Permit Application, Operation, and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that Riverside submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. Riverside submitted the appropriate permit application fee for the current permit action.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department. This air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that pro-rate the required fee amount.

E. ARM 17.8, Subchapter 7 – Permit, Construction, and Operation of Air Contaminant Sources, including, but not limited to:

1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain an air quality permit or permit alteration to construct, alter, or use any asphalt plant, crusher or screen that has the Potential to Emit (PTE) greater than 15 tons per year of any pollutant. Riverside has a PTE greater than 15 tons per year of particulate matter (PM), particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>), sulfur oxides (SO<sub>x</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic carbons (VOC) and carbon monoxide (CO); therefore, an air quality permit is required.
3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit program.
4. ARM 17.8.745 Montana Air Quality Permit--Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that are not subject to the Montana Air Quality Permit Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application



Requirements. This rule requires that a permit application be submitted prior to installation, alteration or use of a source. A permit application was submitted for the current permit action. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. Riverside submitted an affidavit of publication of public notice for the September 20, 2006, issue of *The Glasgow Courier*, a newspaper of general circulation in Valley County, as proof of compliance with the public notice requirements.

6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that Best Available Control Technology (BACT) shall be utilized. The required BACT analysis is included in Section III of this permit analysis.
8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Riverside of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.759 Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those permit applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than one year after the permit is issued.
12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a

source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.

14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an air quality permit may be transferred from one location to another if the Department receives a complete notice of Intent to Transfer location, the facility will operate in the new location for less than one year, the facility will comply with the FCAA and the Clean Air Act of Montana, and the facility complies with other applicable rules. (2) This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Subchapter 8 – Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modification--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the FCAA that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source since it is not a listed source and the facility's PTE is less than 250 tons per year (excluding fugitive emissions) of any air pollutant.

G. ARM 17.8, Subchapter 12 – Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
  - a. PTE > 100 tons/year of any pollutant;
  - b. PTE > 10 tons/year of any one Hazardous Air Pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or lesser quantity as the Department may establish by rule; or
  - c. PTE > 70 tons/year of PM<sub>10</sub> in a serious PM<sub>10</sub> nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #3884-00 for Riverside, the following conclusions were made:

- a. The facility's PTE is less than 100 tons/year for any criteria pollutant.
- b. The facility's PTE is less than 10 tons/year for any one HAP and less than 25 tons/year of all HAPs.
- c. This source is not located in a serious PM<sub>10</sub> nonattainment area.
- d. This facility is subject to a current NSPS (40 CFR Part 60, Subpart I) standards.
- e. This facility is not subject to any current NESHAP standards.
- f. This source is not a Title IV affected source nor a solid waste combustion unit.
- g. This source is not an EPA designated Title V source.

Riverside is not required to obtain a Title V operating permit because Federally enforceable limitations have been included in Permit #3884-11 to limit the sources PTE below the major source threshold. Based on these facts, the Department has determined that Riverside will be a minor source of emissions as defined under Title V. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, Riverside will be required to obtain a Title V Operating Permit.

- h. ARM 17.8.1204(3). The Department may exempt a source from the requirement to obtain an air quality operating permit by establishing federally enforceable limitations which limit that source's PTE.
  - i. In applying for an exemption under this section, the owner or operator of the facility shall certify to the Department that the source's PTE does not require the source to obtain an air quality operating permit.
  - ii. Any source that obtains a federally enforceable limit on PTE shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit.

### III. BACT Determination

A BACT determination is required for each new or altered source. Riverside shall install on the new or altered source the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized.

Riverside proposed to control particulate emissions from the portable asphalt plant with a baghouse. All visible emissions from the asphalt plant including systems for handling, storing, and weighing hot aggregate, systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt, and the loading, transfer, and storage systems associated with emission control systems are limited to 20% opacity. In addition, all asphalt particulate emissions are limited to 0.04 grains per dry standard cubic foot (gr/dscf). Further, Riverside must take reasonable precautions to limit the fugitive emissions of airborne particulate matter on haul roads, access roads, parking lots, and the general plant area. Reasonable precautions include treating all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water or chemical dust suppressant, as necessary, to meet the fugitive dust opacity requirements. The Department determined that operating and maintaining the baghouse to achieve compliance with the corresponding limitations in Section II.A of the permit, and using water and chemical dust suppressant to comply with the reasonable precautions limitation will constitute BACT for the

Riverside asphalt plant.

Because of the limited amount of emissions produced by the diesel generator and the lack of readily available, cost effective add-on controls; add-on controls would be cost prohibitive. Therefore, the Department determined that proper operation and maintenance with no additional controls would constitute BACT for the diesel generator.

As stated above, Riverside will control particulate emissions from the portable asphalt plant with a baghouse. Control options required for the proposed asphalt facility and diesel generator are similar to other recently permitted sources, and are capable of achieving the appropriate emission standards.

#### IV. Emission Inventory

Source	Tons/year (TPY)					
	PM	PM <sub>10</sub>	NO <sub>x</sub>	VOC	CO	SO <sub>x</sub>
Drum Mixer, Dryer with Baghouse*	12.70	6.35	16.5	13.2	39.0	17.40
Hot Elevators, Screens, Bins	9.12	9.00	-	-	-	-
Cold Aggregate Handling	12.15	12.0	-	-	-	-
Haul Roads	6.32	1.80	-	-	-	-
Asphalt Heater	0.03	0.00	0.30	0.08	0.08	0.47
Diesel Generator (up to 820 kW)*	0.58	0.33	25.57	0.58	4.54	6.67
HMA Storage	-	-	-	3.60	0.35	-
Plant Loadout	-	-	-	1.17	0.39	-
<b>Total</b>	<b>40.90</b>	<b>29.48</b>	<b>42.37</b>	<b>18.63</b>	<b>44.36</b>	<b>24.54</b>

\*The diesel generator is limited to 1,500 hours of operation per 12-month rolling period, and the asphalt plant production is limited to 600,000 tons per year to keep the facility below the Title V threshold.

##### Drum Dryer and Mixer with Baghouse

Maximum Process Rate:	400 tons/hr	
Process Airflow Rate:	49363.63768 dscf/min	
Hours of operation:	1500 hr/yr	(per Loren Brandt 12/13/06)
PM Emissions		
Emission Factor:	0.04 gr/dscf (NSPS, Subpart I limit)	
Calculations:	0.04 gr/dscf * 49364 dscf/min * 1lb/7000gr * 60 min/hr = 16.92 lbs/hr * 1500 hr/yr * 0.0005 tons/lb=	16.92 lbs/hr 12.69 tons/yr
PM-10 Emissions:		
Emission Factor:	0.020 gr/dscf (assume 50% of PM is PM-10)	
Calculations:	0.020 gr/dscf * 49364 dscf/min * 1lb/7000gr * 60 min = 8.46 lbs/hr * 1500 hr/yr * 0.0005 tons/lb=	8.46 lbs/hr 6.35 tons/yr
NOx Emissions:		
Emission Factor:	0.055 lbs/ton (AP-42, Table 11.1-7, 3/2004)	
Calculations:	0.055 lbs/ton * 400 tons/hr = 22.00 lbs/hr * 1500 hr/yr * 0.0005 tons/lb=	22.00 lbs/hr 16.50 tons/yr
VOC Emissions:		
Emission Factor:	0.044 lbs/ton (AP-42, Table 11.1-8, 3/2004)	
Calculations:	0.044 lbs/ton * 400 tons/hr = 17.60 lbs/hr * 1500 hr/yr * 0.0005 tons/lb=	17.60 lbs/hr 13.20 tons/yr
CO Emissions:		
Emission Factor:	0.13 lbs/ton (AP-42, Table 11.1-7, 3/2004)	
Calculations:	0.130 lbs/ton * 400 tons/hr = 52.00 lbs/hr * 1500 hr/yr * 0.0005 tons/lb=	52.00 lbs/hr 39.00 tons/yr
SOx Emissions:		
Emission Factor:	0.058 lbs/ton (AP-42, Table 11.1-7, 3/2004)	
Calculations:	0.058 lbs/ton * 400 tons/hr = 23.20 lbs/hr * 1500 hr/yr * 0.0005 tons/lb =	23.20 lbs/hr 17.40 tons/yr

**Hot Elevators, Screens, Bins**

Process Rate:	400 tons/hr		
Hours of operation:	1500 hr/yr		
PM Emissions			
Emission Factor:	0.0304 lbs/ton	(1.25% of PM-10 is PM)	
Calculations:	0.03 lbs/ton * 400 tons/hr =	12.16 lbs/hr	
	12.16 lbs/hr * 1500 hr/yr * 0.0005 tons/lb =		9.12 tons/yr
PM-10 Emissions:			
Emission Factor:	0.03 lbs/ton	(AFSSCC 30500204, page 5500, Fall 97)	
Calculations:	0.03 lbs/ton * 400 tons/hr =	12.00 lbs/hr	
	12.00 lbs/hr * 1500 hr/yr * 0.0005 tons/lb =		9.00 tons/yr

**Cold Aggregate Handling/Transfers**

Process Rate:	400 tons/hr		
Hours of operation:	1500 hr/yr		
PM Emissions			
Emission Factor:	0.0405 lbs/ton	(1.25% of PM-10 is PM)	
Calculations:	0.04 lbs/ton * 400 tons/hr =	16.20 lbs/hr	
	16.20 lbs/hr * 1500 hr/yr * 0.0005 tons/lb =		12.15 tons/yr
PM-10 Emissions:			
Emission Factor:	0.04 lbs/ton	(AFSSCC 30500204, page 5500, Fall 97)	
Calculations:	0.04 lbs/ton * 400 tons/hr =	16.00 lbs/hr	
	16.00 lbs/hr * 1500 hr/yr * 0.0005 tons/lb =		12.00 tons/yr

**Haul Roads**

Vehicle miles traveled:	5 VMT/day	{Estimated}	
Control Efficiency is 50%			
PM Emissions:			
PM Emission Factor (Rated Load Capacity <50 tons):		13.9 Lbs/VMT	(AP-42, Section 13.2.2, 12/03)
PM = (5 VMT/day)(13.90 Lbs/VMT)(0.5)			
PM =	34.75 Lbs/day		
	6.32 tons/yr		
PM10 Emissions:			
PM Emission Factor (Rated Load Capacity <50 tons):		3.95 Lbs/VMT	(AP-42, Section 13.2.2, 12/03)
PM10 = (5 VMT/day)(3.95 Lbs/VMT)(0.5)			
PM10 =	9.875 Lbs/day		
	1.80 tons/yr		

**Asphalt Heater**

Maximum fuel usage	20.40 gallons/hr	(EF based on information provided by applicant/Manufacturer, using #2 oil)	
Maximum Fire Rate	2.82 MMBtu/hr		
Hours of Operation	1500.00 hours/year		
PM Emissions			
Emission factor	0.0143 lb/MMBtu		
Calculations	2.82 MMBtu/hr * 0.0143 lb/MMBtu =	0.0403 lb/hour	
	0.0403 lb/hour * 1500 hr/yr * 0.0005 =	0.0302445 tons/yr	
CO Emissions			
Emission factor	0.0370 lb/MMBtu		
Calculations	2.82 MMBtu/hr * 0.037 lb/MMBtu =	0.1043 lb/hour	
	0.1043 lb/hour * 1500 hr/yr * 0.0005 =	0.07826 tons/yr	
Nox Emissions			
Emission factor	0.1400 lb/MMBtu		
Calculations	2.82 MMBtu/hr * 0.14 lb/MMBtu =	0.3948 lb/hour	
	0.3948 lb/hour * 1500 hr/yr * 0.0005 =	0.29610 tons/yr	
Sox Emissions			
Emission factor	0.2205 lb/MMBtu		
Calculations	2.82 MMBtu/hr * 0.2205 lb/MMBtu =	0.6218 lb/hour	
	0.6218 lb/hour * 1500 hr/yr * 0.0005 =	0.46636 tons/yr	
VOC Emissions			
Emission factor	0.0380 lb/MMBtu		
Calculations	2.82 MMBtu/hr * 0.038 lb/MMBtu =	0.1072 lb/hour	
	0.1072 lb/hour * 1500 hr/yr * 0.0005 =	0.08037 tons/yr	

**Diesel Generator(s) (up to 820 kw)**

Generator Size = 820 kw

1kw = 1.3410 hp

820 kw \* 1.341 = 1099.6 hp

Hours of Operation: 1500 hrs/yr

**PM Emissions**

Emission Factor Calculations 0.0007 lbs/hp-hr (AP-42 Table 3.4-1, 10/96)  
 1099.62 hp \* 0.0007 lbs/hp-hr \* 1500 hrs/yr \* 0.0005 tons/lb = 0.58 tons/yr

**PM-10 Emissions**

Emission Factor Calculations 0.0004 lbs/hp-hr (AP-42 Table 3.4-2, 10/96)  
 1099.62 hp \* 0.0004 lbs/hp-hr \* 1500 hrs/yr \* 0.0005 tons/lb = 0.33 tons/yr

**NOX Emissions**

Emission Factor Calculations 0.0310 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)  
 1099.62 hp \* 0.031 lbs/hp-hr \* 1500 hrs/yr \* 0.0005 tons/lb = 25.57 tons/yr

**VOC Emissions**

Emission Factor Calculations 0.00071 lbs/hp-hr (AP-42 Table 3.4-1, 10/96)  
 1099.62 hp \* 0.000705 lbs/hp-hr \* 1500 hrs/yr \* 0.0005 tons/lb = 0.58 tons/yr

**CO Emissions**

Emission Factor Calculations 0.00550 lbs/hp-hr (AP-42 Table 3.4-1, 10/96)  
 1099.62 hp \* 0.0055 lbs/hp-hr \* 1500 hrs/yr \* 0.0005 tons/lb = 4.54 tons/yr

**SOX Emissions**

Emission Factor Calculations 0.00809 lbs/hp-hr (AP-42 Table 3.4-1, 10/96)  
 1099.62 hp \* 0.00809 lbs/hp-hr \* 1500 hrs/yr \* 0.0005 tons/lb = 6.67 tons/yr

**HMA Storage**

Process rate: 400.000 tons/year  
 Hours of operation 1500.000 hrs/year

**VOC Emissions**

Emissions Factor Calculations 0.012 lb/ton (SCC 3-05-002-13, 3/2004)  
 400 tons/yr \* 1500 hrs/yr \* 0.012 lb/ton \* 0.0005 tons/lb = 3.6 tons/yr

**CO Emissions**

Emissions Factor Calculations 0.00118 lb/ton (SCC 3-05-002-13, 3/2004)  
 400 tons/yr \* 1500 hrs/yr \* 0.00118 lb/ton \* 0.0005 tons/lb = 0.354 tons/yr

**Plant Loadout**

Process rate: 400.000 tons/year  
 Hours of operation 1500.000 hrs/year

**VOC Emissions**

Emission Factor Calculations 0.0039 tons/yr (SCC 3-05-002-14)  
 400 tons/yr \* 1500 hrs/yr \* 0.0039 lb/ton \* 0.0005 tons/lb = 1.17 tons/yr

**CO Emissions**

Emission Factor Calculations 0.0013 tons/yr (SCC 3-05-002-14)  
 400 tons/yr \* 1500 hrs/yr \* 0.0013 lb/ton \* 0.0005 tons/lb = 0.39 tons/yr

**V. Existing Air Quality**

Permit #3884-00 is issued for the operation of a portable drum mix asphalt plant at any location within Montana, excluding those areas that have a Department approved permitting program, those areas considered tribal lands, or those areas in or within 10 kilometers (km) of certain PM<sub>10</sub> nonattainment areas. The Department determined that the amount of controlled emissions generated by this facility will not exceed any set ambient standard. In addition, this source is portable and will operate on an intermittent and temporary basis at any given location, so any air quality impacts will be minimal.

**VI. Air Quality Impacts**

Permit #3884-00 covers operation of this portable drum mix asphalt plant while operating in those areas within Montana, classified as being in attainment with federal ambient air quality standards, and those areas not yet classified. This permit contains conditions and limitations that would protect air quality for the site and surrounding area, and that would limit the facility's emissions below the Title V threshold. Based on the information provided, the amount of controlled

emissions generated by this facility will not exceed any set ambient air quality standard. In addition, this facility is a portable source that will operate on an intermittent and temporary basis at a given location, so any impacts to air quality will be minor and short-lived.

VII. Taking or Damaging Implication Analysis

As required by 2-10-101 through 2-10-105, MCA, the Department conducted a private property taking and damaging assessment and determined there are no taking or damaging implications.

VIII. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act (MEPA), was completed for this project. A copy is attached.

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Permitting and Compliance Division  
Air Resources Management Bureau  
1520 East Sixth Avenue  
P.O. Box 200901  
Helena, Montana 59620-0901  
(406) 444-3490

**DRAFT ENVIRONMENTAL ASSESSMENT (EA)**

*Issued For:* Riverside Contracting, Inc.

*Permit Number:* #3884-00

*Preliminary Determination Issued:* 12/21/06

*Department Decision Issued:*

*Permit Final:*

1. *Legal Description of Site:* Riverside would operate a portable drum mix asphalt plant and associated equipment. Permit #3884-00 would apply while operating at any location in Montana, except within those areas having a Department approved permitting program, those areas considered tribal lands, or those areas in or within 10 km of certain PM<sub>10</sub> nonattainment areas. *A Missoula County air quality permit would be required for locations within Missoula County, Montana.* Riverside would be required to obtain an addendum to this air quality permit to operate at locations in or within 10 km of certain PM<sub>10</sub> nonattainment areas.
2. *Description of Project:* For a typical operation, stockpiled aggregate would be loaded into bins according to size. The aggregate would be dispensed from the bins and dumped onto conveyors that transfer the aggregate to the drum mix dryer. The aggregate travels through the rotating drum where RAP, asphalt oil or lime would be added to the dryer. The dryer drum would mix aggregate, RAP, asphalt oil or lime at high temperatures. The resulting hot mix asphalt would be loaded into a storage silo where it would be stored until the asphalt would be dumped into trucks for transport to the project site.
3. *Objectives of Project:* The object of the project would be to produce business and revenue for the company by the sale and use of asphalt. The issuance of Permit #3884-00 would allow Riverside to operate the permitted equipment at various locations throughout Montana.
4. *Additional Project Site Information:* Although this permit is designated as portable, the initial site location would be SW 1/4 of Section 26, Township 28 North, Range 41East. This location also received a permit through the Industrial and Energy Minerals Bureau (IEMB). The IEMB has also performed an EA for this location, and the EA can be found in the Mined Land Reclamation Permit (Permit #RCI-152).
5. *Alternatives Considered:* In addition to the proposed action, the Department considered the "no-action" alternative. The "no-action" alternative would deny issuance of the air quality preconstruction permit to the proposed facility. However, the Department does not consider the "no-action" alternative to be appropriate because Riverside demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the "no-action" alternative was eliminated from further consideration.



6. *A Listing of Mitigation, Stipulations, and Other Controls:* A listing of the enforceable permit conditions and a permit analysis, including a BACT analysis, would be contained in Permit #3884-00.
7. *Regulatory Effects on Private Property Rights:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined the permit conditions would be reasonably necessary to ensure compliance with applicable requirements and to demonstrate compliance with those requirements and would not unduly restrict private property rights.
8. The following table summarizes the potential physical and biological effects of the proposed project on the human environment. The “no action alternative” was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A.	Terrestrial and Aquatic Life and Habitats			X			yes
B.	Water Quality, Quantity, and Distribution			X			yes
C.	Geology and Soil Quality, Stability, and Moisture			X			yes
D.	Vegetation Cover, Quantity, and Quality			X			yes
E.	Aesthetics			X			yes
F.	Air Quality			X			yes
G.	Unique Endangered, Fragile, or Limited Environmental Resource			X			yes
H.	Demands on Environmental Resource of Water, Air, and Energy			X			yes
I.	Historical and Archaeological Sites			X			yes
J.	Cumulative and Secondary Impacts			X			yes

**Summary of Comments on Potential Physical and Biological Effects:** The following comments have been prepared by the Department.

**A. Terrestrial and Aquatic Life and Habitats**

There is a possibility that terrestrials would use the same area as the asphalt operation. Impacts on terrestrial and aquatic life could result from storm water runoff and pollutant deposition, but such impacts would be minor because the asphalt plant operation would be considered a minor source of emissions, and would have intermittent and seasonal operations. Furthermore, the air emissions would have only minor effects on terrestrial and aquatic life because facility emissions would be well dispersed in the area of operation (see Section 8.F of this EA). Therefore, only minor and temporary effects to terrestrial and aquatic life and habitat would be expected from the asphalt operation.

**B. Water Quality, Quantity, and Distribution**

Water would be required for dust suppression on the surrounding roadways and at areas of operation for equipment pollution control. However, pollution control could be accomplished using a small volume of water and therefore, only minor amounts of pollutant deposition would occur. Any pollutant deposition in the area would be seasonal and intermittent given the portable nature of the asphalt plant. The Milk River is located more than one mile from the site, and impacts to water resources would be minimal because pollutant deposition would be dispersed before reaching surface water resources. Therefore, only minor surface and groundwater quality impacts would be expected.

C. Geology and Soil Quality, Stability, and Moisture

The proposed project would have minor impacts on geology and soil quality, stability and moisture because deposition of air pollutants on soils would be minor (see Section 8.F of this EA). Only minor amounts of water would be required for pollution control, and only minor amounts of pollution would be generated. Pollutants would be widely dispersed before settling upon vegetation and surrounding soils (see Section 8.D of this EA). According to the applicant, site soils for the initial location consist of silty clays, and Riverside does not intend to modify any unique geologic or physical features. As proposed, the operation site would be graded to blend into the surrounding topography and any disturbance at the site would be reclaimed back to its original condition. Therefore, any effects upon geology and soil quality, stability, and moisture at this proposed operational site would be minor and short-term.

D. Vegetation Cover, Quantity, and Quality

The facility would be considered a minor source of emissions by industrial standards and would typically operate in areas previously designated and used for this type of operation. Minor impacts would occur on vegetative cover, quality, and quantity because this facility would be operating on an intermittent and temporary basis. Pollutants would be greatly dispersed and corresponding deposition on vegetation from the proposed project would be minor. The initial asphalt plant location does intersect an area designated by Montana Natural Heritage Program (MNHP) as the *Missouri Breaks Megasite* (this site extends from Glasgow and Malta to Melstone and Rock Springs). However, MNHP noted that there are no known vegetative species of concern at the initial site location. Therefore, given the temporary and portable nature of the asphalt plant and the fact that there are no known vegetative species of concern, and that pollutants would be widely dispersed; minor impacts to vegetative cover, quantity and quality would occur as a result of this project.

E. Aesthetics

The asphalt plant operation would be visible, would create additional noise, and generally would be associated with an unpleasant odor. According to the applicant, the closest house is located approximately 1 ½ miles away; and the nearest town, Nashua, is located 2 ½ miles away. Permit #3884-00 would include conditions to control emissions, including visible emissions from the plant. Since the asphalt plant would be portable, and would operate on an intermittent and seasonal basis, any visual aesthetic impacts would be minor and short-lived.

F. Air Quality

Air quality impacts from the proposed project would be minor because this facility would operate on an intermittent and temporary basis. In addition, Permit #3884-00 would include conditions limiting the facility's opacity and the facility's asphalt plant operation. Water would be required on-site at all times to control emissions. The permit would also limit total emissions from the asphalt plant operation and any additional Riverside equipment operated at the site to 250 tons/year or less, excluding fugitive emissions.

Further, the Department determined that the asphalt plant operation would be a minor source of emissions as defined under the Title V Operating Permit Program because the source's PTE was limited below the major source threshold level of 100 tons per year for any regulated pollutant. Pollutant deposition from the facility would be minimal because pollutants emitted would be widely dispersed (from factors such as wind speed and wind direction) and would have minimal deposition on the surrounding area (due to site topography of the area and minimal vegetative cover in the area). Therefore, air quality impacts from operating the existing asphalt plant operation in this area would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department, in an effort to assess any potential impacts to any unique endangered, fragile, or limited environmental resources contacted MNHP. Search results concluded there were five species of concern located one mile or more from the initial asphalt plant location. The Paddlefish, Blue Sucker, and Sauger are all designated as a sensitive species of concern; and the Pallid Sturgeon is considered endangered. The Bobolink is also listed as a species of concern, but is not considered sensitive or endangered by MNHP. However, none of the above species are located within the initial project site and therefore, the impacts to unique endangered, fragile of limited environmental resources would be minor.

H. Demands on Environmental Resources of Water, Air, and Energy

Only small quantities of water would be required for dust suppression of emissions being generated at the site. Impacts to air resources would be minimal because the source would be considered a minor industrial source of emissions, with intermittent and seasonal operations. Because air pollutants generated by the facility would be widely dispersed (see Section 8.F of this EA) and energy requirements would be provided by a diesel generator, any impacts to water, air, and energy resources would be minor.

I. Historical and Archaeological Sites

The Department previously contacted the Montana Historical Society - State Historical Preservation Office (SHPO) in an effort to identify any historical and archaeological sites that may be present in the proposed area of operation. Search results concluded that there are no previously recorded historical or archaeological resources of concern within the area proposed for initial operation. According to correspondence from the SHPO, there would be a low likelihood of adverse disturbance to any known archaeological or historic site given previous industrial disturbance to the area. Therefore, no impacts upon historical or archaeological sites would be expected as a result of operating the proposed asphalt plant operation.

J. Cumulative and Secondary Impacts

The asphalt plant operation would cause minor cumulative and secondary impacts to the physical and biological aspects of the human environment because the facility is an existing source and would be limited in the amount of PM, PM<sub>10</sub>, NO<sub>x</sub>, VOC, CO, and SO<sub>x</sub> emissions to be generated. Emissions and noise generated from the equipment would, at most, result in only minor impacts to the area of operation because it would be seasonal and temporary in nature. Additionally, this facility, in combination with other emissions from equipment operations would not be permitted to exceed 250 tons per year of non-fugitive emissions. Overall, cumulative and secondary impacts to the physical and biological aspects of the human environment would be minor.

9. The following table summarizes the potential economic and social effects of the proposed project on the human environment. The “no action alternative” was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A.	Social Structures and Mores				X		yes
B.	Cultural Uniqueness and Diversity				X		yes
C.	Local and State Tax Base and Tax Revenue			X			yes
D.	Agricultural or Industrial Production			X			yes
E.	Human Health			X			yes
F.	Access to and Quality of Recreational and Wilderness Activities			X			yes
G.	Quantity and Distribution of Employment				X		yes
H.	Distribution of Population				X		yes
I.	Demands for Government Services			X			yes
J.	Industrial and Commercial Activity			X			yes
K.	Locally Adopted Environmental Plans and Goals			X			yes
L.	Cumulative and Secondary Impacts			X			yes

**SUMMARY OF COMMENTS ON POTENTIAL ECONOMIC AND SOCIAL EFFECTS:** The following comments have been prepared by the Department.

**A. Social Structures and Mores**

The asphalt plant operation would cause no disruption to the social structures and mores in the area because the source would be considered a minor industrial source of emissions, and would have temporary and intermittent operations. Further, the facility would be required to operate according to the conditions placed in Permit #3884-00, which would limit the effects to social structures and mores.

**B. Cultural Uniqueness and Diversity**

The cultural uniqueness and diversity of this area would not be impacted by the existing asphalt plant operation because the facility would be a portable source, with seasonal and intermittent operations. The predominant use of the surrounding area would not change as a result of this asphalt plant operation. Therefore, the cultural uniqueness and diversity of the area would not be affected.

**C. Local and State Tax Base and Tax Revenue**

The asphalt plant operation would have little, if any, impact on the local and state tax base and tax revenue because the facility would be a minor industrial source of emissions, and would have seasonal and intermittent operations. Only minor impacts to the local and state tax base and revenue could be expected from the employees and facility production. According to the applicant approximately 20 people would be employed. Because the facility is portable and temporary it is unlikely that people would move to the area as a result of this project. Impacts to local tax base and revenue would be minor and short-term because the source would be portable and the money generated for taxes would be widespread.

D. Agricultural or Industrial Production

The initial site for the asphalt plant would be located on approximately 69 acres previously designated cropland (wheat). However, in the reclamation plan approved by IEMB, the applicant proposes to return the site to its post-mining land use. The asphalt plant operation would have only a minor impact on local industrial production since the facility would be a minor source of asphalt production and air emissions. Also, the portable facility would generally locate in a rural area. Minimal deposition of air pollutants would occur on the surrounding land (see Section 8.F of this EA) and only minor and temporary effects on the surrounding vegetation (i.e. agricultural production) would occur. In addition, the facility operations would be temporary in nature and would be permitted with operational conditions and limitations that would minimize impacts upon surrounding vegetation (see Section 8.D of this EA). Overall, the impacts to agricultural or industrial production would be minor.

E. Human Health

Permit #3884-00 would incorporate conditions to ensure that the asphalt plant operation would operate in compliance with all applicable air quality rules and standards. These rules and standards are designed to protect human health. Air emissions from this facility would be minimized by the use of water and other process limits that would be required by Permit #3884-00. Because the facility would operate on a temporary basis and pollutants would be widely dispersed, only minor impacts would be expected on human health from the asphalt plant operation.

F. Access to and Quality of Recreational and Wilderness Activities

Access to recreational opportunities would not be limited by this facility. All recreational opportunities, if available in the area, would still be accessible. Noise from the facility would be minimal to surroundings because of the facility size, hours of operation, and rural location. The facility would operate on a seasonal and intermittent basis on private land and would be a minor industrial source of emissions. Therefore, any changes in the quality of recreational and wilderness activities created by operating the equipment at this site would be minor.

G. Quantity and Distribution of Employment

According to the applicant, the plant operation would require approximately 20 employees. However, operation of the asphalt plant would only require approximately five people. Other employees would be a transient (i.e. truck drivers for aggregate, mineral filler, asphalt cement, load out, etc.), but still essential to the hot mix asphalt plant. Because the operation would be seasonal (approximately six months/year), no individuals would be expected to permanently relocate as a result of operating the asphalt plant. Therefore, no effects upon the quantity and distribution of employment in this area would be expected.

H. Distribution of Population

The asphalt plant operation is a portable industrial facility that would require few employees to operate. No individuals would be expected to permanently relocate to this area. Therefore, the asphalt plant operation would not impact the normal population distribution in the initial area of operation or any future operating site.

I. Demands of Government Services

This project would result in an increase in traffic on existing roadways while the asphalt plant operation is in progress. Government services would be required for acquiring the appropriate permits for the proposed project, and to verify compliance with the permits that would be issued. However, any increase or demand for government services would be minor given the temporary and portable nature of the project.

J. Industrial and Commercial Activity

The asphalt plant operation would represent only a minor increase in the industrial activity in the proposed area of operation because this source is a relatively small industrial source that would be portable and temporary in nature. No additional industrial or commercial activity would be expected as a result of the proposed operation.

K. Locally Adopted Environmental Plans and Goals

Riverside would be allowed by Permit #3884-00 to operate in areas designated by EPA as attainment or unclassified for ambient air quality. Permit #3884-00 would contain limits for protecting air quality and to keep facility emissions in compliance with any applicable ambient air quality standards, as a locally adopted environmental plan or goal for operating at this proposed site. Because the facility would have intermittent and seasonal operations any impacts from the facility would be minor and short-lived.

L. Cumulative and Secondary Impacts

The asphalt plant operation would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment in the immediate area of operation because the source would be portable and temporary. Further, no other industrial operations are expected to result from the permitting of this facility. Any minor increase in traffic would have little effect on local traffic in the immediate area. Because the source is relatively small and temporary, only minor economic impacts to the local economy would be expected from operating the facility. Further, this facility may be operated in conjunction with other equipment owned and operated by Riverside, but any cumulative impacts upon the social and economic aspects of the human environment would be minor and short-lived. Thus, only minor and temporary cumulative and secondary effects would result.

*Recommendation:* An Environmental Impact Statement (EIS) is not required.

*If an EIS is not required, explain why the EA is an appropriate level of analysis:* All potential effects resulting from construction and operation of the proposed facility are minor and temporary; therefore, an EIS is not required.

*Other groups or agencies contacted or which may have overlapping jurisdiction:* Montana Department of Environmental Quality - Permitting and Compliance Division (Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and the State Historic Preservation Office (Montana Historical Society).

*Individuals or groups contributing to this EA:* Montana Department of Environmental Quality (Air Resources Management Bureau and Industrial and Energy Minerals Bureau), Montana State Historic Preservation Office (Montana Historical Society).

*EA prepared by:* Jenny O'Mara

*Date:* December 15, 2006